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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/264,762	03/09/1999	RICHARD N. JURMAIN	BT10	3685

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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 06/20/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliance
With 37 CFR 1.192(c)**

Applicati n No.

09/264,762

pplicant(s)

JURMAIN, RICHARD N.

Examiner

John L. Sotomayor

Art Unit

3714

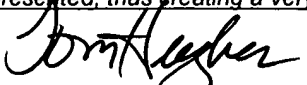
--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 22 May 2003 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192 (c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENTIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☒ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☒ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☒ the brief includes the statement required by 37 CFR 1.192(c) (7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

- Appellant has not provided 3 copies of the brief as required by 37 CFR 1.192(a).
In addition, for instance, Appellant has stated that claims 3,6 and 8-11 stand or fall together and that claims 30 and 42 each stand alone yet has not provided arguments in support thereof. A general argument that all the limitations for these claims are not described in the cited references does not satisfy the requirements of 37 CFR 1.192(c) (7).
Appellant has also, for instance, stated that claims 14, 17 and 18 stand or fall together, that claims 25, 26, 29 and 32 stand or fall together, and that claims 33,34 and 37-41 stand or fall together yet has not provided arguments in support thereof. A general argument that all the limitations for these claims are not described in the cited references does not satisfy the requirements of 37 CFR 1.192(c) (7).
- Additionally, throughout the arguments the Appellant refers to embodiments 1-4 of the invention but there is no clear correlation between the embodiments cited by the Appellant and the claim arguments presented, thus creating a very confusing brief.


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